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## NEWS RELEASE

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### **EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct**

FALLS CHURCH, Va. – The Executive Office for Immigration Review (EOIR) has taken disciplinary action against 11 attorneys after charging them with violations of the Rules of Professional Conduct for immigration practitioners. Two of the attorneys received both an immediate suspension and a final order. The Rules of Professional Conduct appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 1003 and 1292). In most cases, the disciplinary action is initiated as a result of sanctions imposed by other jurisdictions or a criminal conviction.

Although the disciplinary process may vary according to the specific circumstances of each case, generally it includes the following steps:

Disciplinary proceedings begin with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or U.S. Citizenship and Immigration Services, Department of Homeland Security (DHS). The BIA requires the attorney to respond to the alleged violations. In some cases, a Petition for Immediate Suspension also is filed and the BIA orders the attorney to be suspended immediately from practice before the immigration courts, the BIA, and the DHS. (DHS joins EOIR in taking the disciplinary action.) Disciplined attorneys are directed to notify promptly, in writing, their clients with pending immigration cases that they may no longer represent them before the BIA, the immigration courts, or the DHS. Disciplined attorneys must petition and be reinstated by the BIA before they can resume the practice of law before the BIA, the immigration courts, and the DHS.

#### **Immediate Suspension**

The BIA ordered the immediate suspension of the following attorneys:

- **Elizabeth Cohen:** She was suspended from the practice of law by the Appellate Division of the New York State Supreme Court, 1st Judicial Department, for 2 years for neglecting a client matter, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, and engaging in conduct that is prejudicial to the administration of justice. She was immediately suspended by the BIA on April 27, 2007, based on her suspension in New York, pending final disposition of her case.

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- **Bita L. Hoffman:** She was convicted in the U.S. District Court for the Central District of California for conspiracy to commit immigration fraud, making false statements in documents, and knowingly presenting those documents to immigration authorities. She was immediately suspended by the BIA on April 11, 2007, based on her criminal convictions in California, pending final disposition of her case.
- **Carlos Jean-Joseph:** He was suspended from the practice of law by the Supreme Court of Florida for 60 days for misconduct involving competence, diligence, and failing to adequately supervise other lawyers in his firm. He was immediately suspended by the BIA on April 27, 2007, based on his suspension in Florida, pending final disposition of his case.
- **David Smith Nunes:** He was suspended from the practice of law by the Supreme Court of Florida for 3 years for engaging in conduct that is prejudicial to the administration of justice, engaging in an act that is unlawful or contrary to honesty and justice, and lack of competency. He was immediately suspended by the BIA on May 22, 2007, based on his suspension in Florida, pending final disposition of his case.
- **Guillermo Pena:** He was disbarred by the Supreme Court of Florida for continuing to practice law while he was suspended. He was immediately suspended by the BIA on May 10, 2007, based on his disbarment in Florida, pending final disposition of his case.
- **Hector M. Roman:** He was suspended from the practice of law by the U.S. Court of Appeals for the 9<sup>th</sup> Circuit for 6 months for engaging in negligent and incompetent conduct and violating a number of court rules and orders. He was immediately suspended by the BIA on May 22, 2007, based on his 6-month suspension, pending final disposition of his case.
- **Jonathan Saint-Preux:** He was convicted in the U.S. District Court for the District of New Jersey for fraud and misuse of visas. He was immediately suspended by the BIA on May 18, 2007, based on his criminal conviction in New Jersey, pending final disposition of his case.
- **Carl M. Weideman, III:** He was suspended from the practice of law by the Michigan Attorney Discipline Board for 30 days for violating multiple provisions of the state court rules. He was immediately suspended by the BIA on May 23, 2007, based on his suspension in Michigan, pending final disposition of his case.

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### Final Orders of Discipline

- **Elizabeth Cohen:** A final order of May 23, 2007, expels her from practice before immigration tribunals, effective April 27, 2007, based on her suspension in New York for neglecting a client matter, engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, engaging in conduct that is prejudicial to the administration of justice and that adversely reflected on her fitness to practice law, and lack of diligence.
- **Bitia L. Hoffman:** A final order of May 18, 2007, expels her from practice before immigration tribunals, effective April 11, 2007, based on her criminal convictions in California for conspiracy to commit immigration fraud, making false statements in documents, and knowingly presenting those documents to immigration authorities.
- **Jorge Portugal:** A final order of April 27, 2007, suspends him from practice before immigration tribunals for 180 days, effective Feb. 5, 2007, based on his 180-day suspension in California for repeated failures to comply with the California State Bar Court's orders.
- **Jon E. Purizhansky:** A final order of May 18, 2007, expels him from practice before immigration tribunals, effective April 6, 2007, based on his criminal conviction in the U.S. District Court in the Western District of New York for one count of conspiracy to defraud the United States.
- **Larry E. Steorts:** A final order of May 23, 2007, censures him publicly for engaging in ineffective assistance of counsel in a matter before the BIA.

### Background

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The rules also authorize the BIA to suspend immediately a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a federal or state court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR website at [http://www.usdoj.gov/eoir/vll/fedreg/2000\\_2001/fr27jn00R.pdf](http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf).

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent clients in any matter before an immigration tribunal. EOIR also posts a "List of Disciplined Practitioners" on its website at <http://www.usdoj.gov/eoir/profcond/chart.htm>. In an effort to provide more detailed information about individual attorney discipline cases, every new immediate suspension or final order issued beginning June 27, 2005, can be accessed through this list by clicking on the highlighted "date" link. Links to older orders, issued since July 2000, will be included gradually.

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Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR website.

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*EOIR is responsible for adjudicating immigration cases. Specifically, under delegated authority from the Attorney General, EOIR interprets and administers federal immigration laws by conducting immigration court proceedings, appellate reviews, and administrative hearings. EOIR consists of three components: the Office of the Chief Immigration Judge, which is responsible for managing the numerous immigration courts located throughout the United States where immigration judges adjudicate individual cases; the Board of Immigration Appeals, which primarily conducts appellate reviews of immigration judge decisions; and the Office of the Chief Administrative Hearing Officer, which adjudicates immigration-related employment cases. EOIR is committed to providing fair, expeditious, and uniform application of the nation's immigration laws in all cases.*

*Information about EOIR immigration proceedings is available on EOIR's website <http://www.usdoj.gov/eoir/press/subject.htm>.*